

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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WINKLEVOSS CAPITAL FUND, LLC,

18-cv-8250 (JSR)

Plaintiff :

v.

:

CHARLES SHREM,

:

Defendant.

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**DEFENDANT CHARLES SHREM’S NOTICE OF MOTION TO STRIKE  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(f)**

PLEASE TAKE NOTICE that Defendant Charles Shrem (“Shrem”), by and through his undersigned counsel, Baker Marquart LLP, respectfully moves this Court for an Order striking paragraphs 2-3, 40, 44 in Plaintiff’s Complaint pursuant to Federal Rule of Civil Procedure 12(f), and all papers filed in connection therewith.

On November 14, 2018, the Court held a telephonic conference with counsel and ordered Shrem to file any motions to dismiss by November 28, 2018. During that same conference, the Court stated that Plaintiff’s deadline to submit opposition papers, if any, is December 10, 2018. Shrem’s time to submit reply papers, if any, is December 17, 2018. The Court set oral argument for December 19, 2018 at 12:00 p.m.

WHEREFORE, Shrem respectfully requests that the Court enter an order granting the relief requested herein, and such other and further relief as the Court deems just and proper.

Dated: November 28, 2018

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